

Application No.: 09/980,066

Docket No.: GAMBRO 3.3-258

REMARKS

This is in response to the Office Action mailed on November 21, 2003. Claims 14-27 are pending in the application. In the Office Action, claims 14-27 were rejected as allegedly being anticipated under 35 U.S.C. § 102(e) as allegedly being anticipated by Figure 1 of United States patent number 6,361,206 to Bonne.

Applicant respectfully traverses this rejection. Bonne fails to teach a tube for retaining a fluid, the tube including an outer wall, a lateral access opening, and a domed portion including a sealing surface on said outside wall of the tube surrounding the lateral access opening, and a sensor sealingly disposed on the sealing surface surrounding the lateral access opening in the tube for direct contact with the fluid in the tube for sensing said property of the fluid in the tube. In particular, Bonne does not disclose a domed portion. The structure shown in Figure 1 in Bonne resembles the prior art structure discussed in the specification, for example, those including a bushing welded laterally to a tube, as shown in DE 4101549 and EP 413198.

A dictionary definition of dome states that a dome is a concave shape whose distinguishing characteristic is that the concavity faces downward. See the attached definition from www.onelook.com dictionary search website. Therefore, a domed portion is a portion that has a concave shape in which the concavity faces downward. A domed portion thus includes a curved surface. Figure 1 of Bonne fails to disclose or suggest such a domed portion including a sealing surface. Instead, Figure 1 of Bonne shows the sensor mounted to a square or cylindrical plug at a right angle to the sensor surface. There is absolutely no concavity or curvature to the portion of the

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tube in contact with the sensor. Since Bonne fails to teach or suggest every element of Applicant's claimed invention, the reference does not anticipate, and withdrawal of the rejection is respectfully requested.

In view of the foregoing remarks, the application is believed to be in condition for allowance, and early notice to this effect is earnestly solicited. If allowance of this application may be expedited by resolution of simple issues through a telephone conference, the Examiner is welcome to call the undersigned.

Applicant believes that no extension of time is necessary to make this Amendment timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Amendment timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned attorney, Deposit Account No. 12-1095 therefor.

Dated: January 26, 2004

Respectfully submitted,

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Quick definitions (**Dome**)

- **noun:** a hemispherical roof
- **noun:** a stadium that has a roof
- **noun:** a concave shape whose distinguishing characteristic is that the concavity faces downward
- **noun:** informal terms for a human head
- **name:** A surname (very rare: popularity rank in the U.S.: #32120)

Encyclopedia article

A dome is a common structural element of architecture that resembles the hollow upper half of a sphere. Domes do not have to be perfectly spherical in cross-section, however; it is sufficient that they simply be curved

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- 21. [dome](#) : LookWAYup Translating Dictionary/Thesaurus [[home](#), [info](#)]
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